

## Message Text

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64

ACTION EA-14

INFO OCT-01 ARA-16 EUR-25 NEA-10 IO-14 ISO-00 SSO-00

NSCE-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 ACDA-19 DPW-01 AID-20 DRC-01 /198 W

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P R 041131Z DEC 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC PRIORITY 9587

AMEMBASSY BANGKOK

AMEMBASSY BONN

AMEMBASSY BRAZILIA

AMEMBASSY BRUSSELS

AMEMBASSY BUENOS AIRES

AMEMBASSY CANBERRA

AMEMBASSY JAKARTA

AMEMBASSY NEW DELHI

AMEMBASSY OSLO

AMEMBASSY PHNOM PENH

AMEMBASSY ROME

AMEMBASSY SINGAPORE

AMEMBASSY TEHRAN

AMEMBASSY TOKYO

AMEMBASSY VIENTIANE

AMEMBASSY WELLINGTON

USMISSION USUN NEW YORK

INFO AMEMBASSY BUDAPEST

AMEMBASSY LONDON

AMEMBASSY PARIS

USDEL JEC PARIS UNN

AMEMBASSY WARSAW

USLO PEKING

AMEMBASSY MOSCOW

AMCONSUL BIEN HOA

AMCONSUL CAN THO

AMCONSUL DANANG

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AMCONSUL NHA TRANG

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CORRECTED COPY (TO HEADING)

.O. 11652: N/A

TAGS: PFOR, VS

SUBJ: GVN NOTE TO PARIS PARTICIPANTS PROTESTING COMMUNIST SHELLING

1. SUMMARY AND ACTION REQUEST: THERE FOLLOWS TEXT OF A GVN MINISTRY OF FOREIGN AFFAIRS (MFA) NOTE WHICH IS BEING SENT TODAY DEC 4 TO THE PARTIES TO THE ACT OF THE INTERNATIONAL CONFERENCE ON VIET-NAM PROTESTING THE COMMUNIST SHELLING OF NHA BE. THE MFA ALSO ISSUED A COMMUNIQUE ALONG THE SAME LINES AT THIS MORNING'S DEC 4 DAILY PRESS CONFERENCE (FBIS S040705Z). GVN HAS ALSO TWICE PROTESTED THE INCIDENT TO THE ICCS AND REQUESTED THE TWO-PARTY JOINT MILITARY COMMISSION (TPJMC) TO MAKE ITS OWN INVESTIGATION. ACTION REQUESTED: ACTION ADDRESSEES ARE REQUESTED TO PASS THIS NOTE TO THE GVN MISSIONS IN THEIR HOST COUNTRIES WITH THE INFORMATION THAT IT WILL BE RELEASED TO THE PRESS AT 10:00AM SAIGON TIME DEC 5. END SUMMARY AND ACTION REQUEST

2. QTE REPUBLIC OF VIET-NAM. MINISTRY OF FOREIGN AFFAIRS, NOTE NO 871 /BNG THE MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF VIET-NAM PRESENTS HIS COMPLIMENTS TO THE PARTIES TO THE ACT OF THE INTERNATIONAL CONFERENCE ON VIET-NAM, SIGNED AT PARIS ON MARCH 2ND, 1973 AND HAS THE HONOUR TO DRAW THEIR ATTENTION TO THE FOLLOWING.

3. ARTICLE 3(C) OF THE AGREEMENT ON ENDING THE WAR AND RESTORING PEACE IN VIET-NAM, SIGNED AT PARIS ON JANUARY 27TH, 1973, CLEARLY STIPULATES THAT "THE REGULAR FORCES OF ALL SERVICES AND ARMS AND THE IRREGULAR FORCES OF THE PARTIES IN SOUTH VIET-NAM SHALL STOP ALL OFFENSIVE ACTIVITIES AGAINST EACH OTHER..."

4. THE COMMUNIST SIDE, HOWEVER, HAS CONTINUOUSLY VIOLATED THAT FUNDAMENTAL STIPULATION OF THE PARIS AGREEMENT, AND IS STILL CARRYING OUT IS HOSTILE ACTIVITIES AGAINST THE REPUBLIC OF VIET-NAM. ONE OF SUCH ACTIVITIES OCCURRED IN THE MORNING OF DECEMBER 3RD, 1973, WHEN THE COMMUNISTS LAUNCHED A TWO-HOUR  
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MORTAR AND ROCKET ATTACK AGAINST A POL DEPOT AT NHA BE, 12KM. SOUTHEAST OF SAIGON. A TOTAL OF ABOUT FIFTY ROUNDS OF 82MM MORTAR, 107MM AND 122MM ROCKETS WERE FIRED IN THE ATTACK. THE SHELLING CAUSED THE DESTRUCTION OF AN IMPORTANT NUMBER OF PETROLEUM TANKS AND DAMAGED THE DUTCH-REGISTERED TANKER "HYRIA".

5. THE SHELLING OF NHA BE IS ANOTHER ACT OF WAR WHICH CLEARLY INDICATES THE INTENTION OF THE COMMUNIST SIDE NOT TO

COMPLY WITH THE MOST ESSENTIAL ARTICLES OF THE 27TH JANUARY 1973 AGREEMENT ON ENDING THE WAR AND RESTORING PEACE, ITS RELATED PROTOCOLS AND THE 13TH JUNE 1973 JOINT COMMUNIQUE.

6. GIVEN THE FACT THAT THE SHELLING AIMED AT AN AREA ADJACENT TO THE CAPITAL CITY OF THE REPUBLIC OF VIET-NAM, WHERE THE HEAD-QUARTERS OF THE INTERNATIONAL COMMISSION OF CONTROL AND SUPER-VISION, THE TWO-PARTY JOINT MILITARY COMMISSION, AND THE FOUR-PARTY JOINT MILITARY TEAM ARE LOCATED, THIS ACT OF WAR ALSO REVEALS FROM THE PART OF THE COMMUNIST SIDE AN ARROGANT CONTEMPT BOTH FOR ALL PARTIES INVOLVED IN THE PEACE STRUCTURE DEvised BY THE PARIS AGREEMENT, AND THE INTERNATIONAL PUBLIC OPINION IN GENERAL.

7. THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM HAS REPEATEDLY BROUGHT TO THE ATTENTION OF THE PARTIES THE BREACHES OF THE CEASE-FIRE COMMITTED BY THE COMMUNIST FORCES, BUT IT HAS TO EXPRESS ITS GRAVEST CONCERN FOR THE INTENSITY OF THE RECENT COMMUNIST HOSTILE ACTS, OF WHICH THE SHELLING OF NHA BE IS BUT ONE INSTANCE. THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM CONSIDERS THESE ACTS NOT ONLY AS A RESULT OF THE INCREASINGLY REINFORCED MILITARY POTENTIAL OF THE COMMUNIST SIDE, WHICH ITSELF CONSTITUTES A DISTINCT VIOLATION OF THE PARIS AGREEMENT, BUT ALSO AS A CONFIRMATION OF THE COMMUNISTS' INTENTION TO LAUNCH A NEW OFFENSIVE IN SOUTH VIET-NAM.

8. ALTHOUGH THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM IS DETERMINED TO CLOSELY OBSERVE ALL PROVISIONS OF THE PARIS AGREEMENT, IT CONSIDERS THAT AS A SOVEREIGN STATE IT HAS THE RIGHT AND THE DUTY TO TAKE APPROPRIATE MEASURES TO DEFEND ITS TERRITORY, ITS ARMED FORCES AND ITS POPULATION.

9. THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM WISHES ANEW TO  
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CALL THE ATTENTION OF THE PARTIES TO THE ACT, TO THE SERIOUS SITUATION IN SOUTH VIET-NAM CREATED BY THE UNENDING VIOLATIONS OF THE CEASEFIRE COMMITTED BY THE COMMUNIST SIDE; IT WISHES TO REITERATE ITS URGENT APPEAL TO THE PARTIES TO ACT EITHER SEPARATELY OR IN CONCERT TO PREVENT THE DEMOCRATIC REPUBLIC OF VIET-NAM SIDE FROM PLACING THE WHOLE PEACE STRUCTURE ESTABLISHED BY THE PARIS AGREEMENT IN JEOPARDY.

10. THE MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF VIET-NAM AVAILS HIMSELF OF THIS OPPORTUNITY TO RENEW TO THE PARTIES TO THE ACT OF THE INTERNATIONAL CONFERENCE ON VIET-NAM, THE ASSURANCES OF HIS HIGH CONSIDERATION. UNQTE  
SAIGON  
DECEMBER 3RD, 1973.  
MARTIN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
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**Current Classification:** UNCLASSIFIED  
**Concepts:** TREATY VIOLATION, DIPLOMATIC NOTES, GROUND COMBAT OPERATIONS, DIPLOMATIC PROTESTS, MEETING DELEGATIONS  
**Control Number:** n/a  
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30 JUN 2005

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**TAGS:** PFOR, VS, ICCS, TPJMC  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005